

**To:** Kemmerer, John[KEMMERER.JOHN@EPA.GOV]  
**From:** Albright, David  
**Sent:** Wed 5/1/2013 2:32:13 PM  
**Subject:** FW: California AEs and CIPA

Hi John,

Just a heads-up that some industry folks are back at HQs raising the CA aquifer exemption issue. As you will see in the messages below, I'm trying to get some more detail as to who they are meeting with and anything else that might be on their agenda. I'll let you know what I hear back from Ron [he is a Branch Chief in OGWDW; Ann who I refer to is Ann Codrington, the Division Director (DW Protection Division) of Ron's Branch].

David

**From:** Albright, David  
**Sent:** Wednesday, May 01, 2013 7:10 AM  
**To:** Bergman, Ronald; Dermer, Michele  
**Subject:** RE: California AEs and CIPA

Hi Ron,

We are aware of an issue with aquifer exemptions (I think I may have mentioned this previously to Ann as an item that was on the horizon), but I'm not sure which specific aquifers you (they) are referring to when you say "the aquifers in question." The short story is that in 1983, when primacy was first granted, EPA approved a large number of exempted aquifers, basically matching the oil pool boundaries where data showed the aquifer to be fresh (i.e., less than 10,000 ppm). Subsequent to the granting of primacy, some oil pool boundary designations have changed, there have been new discoveries, etc. but there have not been many formal actions through the years to update what is officially exempted. We elevated this issue to CA DOGGR (Class II primacy agency) quite a while ago, and they have been working to 1) figure out where there are specific discrepancies between what EPA approved in 1983 and the present; 2) identify which areas with such discrepancies may need aquifer exemption consideration; and 3) develop a proposal as to how they wish to proceed in terms of preparing documentation and requesting EPA action for expanded and new AE boundaries.

We had expected that DOGGR would have completed their assessment and developed a proposal for consideration by now, and we were expecting to engage HQs on this situation once they came forward with such a proposal. Alas, at last contact, they are still in the analytical phase.

Which “political brass” is CIPA meeting with tomorrow? I was not aware that the industry had taken up this issue. Curious to know what else might be on their agenda, if there is one.

Please feel free to give me/Michele a call today. In answer to your question, we do have records of what EPA approved in 1983, although I would not characterize the record as straightforward.

David

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David Albright  
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**From:** Bergman, Ronald  
**Sent:** Wednesday, May 01, 2013 5:03 AM  
**To:** Dermer, Michele; Albright, David  
**Subject:** California AEs and CIPA

Hi Michele and David,

The California Independent Petroleum Association is meeting with the HQ political brass tomorrow. They raise the aquifer exemption issue, saying that the aquifers in question were exempted in California's 1983 primacy agreement.

Do you know about this issue? Do you have records of what was exempted in 1983?

The meeting is tomorrow, so any information that you have would be appreciated. Unfortunately, this is all I know about the issue.

Thank you